

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	2132.04
COMPLAINT INVESTIGATOR:	Brian Simkins
DATE OF COMPLAINT:	May 19, 2004
DATE OF REPORT:	June 18, 2004
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	August 24, 2004

COMPLAINT ISSUES:

Whether the Indianapolis Public Schools violated:

511 IAC 7-25-4(b) by failing to conduct an initial special education evaluation and convene the case conference committee (CCC) meeting within 60 instructional days of the date the written parental consent is received by certified personnel.

FINDINGS OF FACT:

1. The Student is fourteen years old and attends the local School. Eligibility for special education and related services cannot be determined until the initial special education evaluation is completed and a CCC meeting convened.
2. On February 9, 2004, the School received a faxed letter from the parent requesting a special education evaluation. The School acknowledges that, as of May 28, 2004, at least 65 instructional days have elapsed since the request was received. Unbeknownst to the Special Education Director, the evaluation was completed but the initial CCC meeting to discuss eligibility had not convened. The School has agreed to convene the CCC as soon as possible and to provide compensatory services if necessary.

CONCLUSIONS:

1. Finding of Fact #2 indicates that the School acknowledges that it failed to follow the procedures for an initial special education evaluation, specifically, failing to conduct the initial evaluation and convene the CCC within 60 instructional days. Therefore, a violation of 511 IAC 7-25-4(b) is found.

The Department of Education, Division of Exceptional Learners requires the following corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The Indianapolis Public Schools shall:

Convene the CCC meeting and determine whether the Student is eligible for special education and related services. If the Student is found eligible, the CCC must consider whether and to what extent compensatory services will be necessary. A copy of the CCC Report shall be sent to the Division no later than September 3, 2004.